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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

CONFEDERATED TRIBES AND
BANDS OF THE YAKAMA
NATION, a sovereign federally
recognized Indian Tribe,

Plaintiff,
v.
CITY OF TOPPENISH, a
municipality of the State of
Washington

Case No.: 1:24-cv-03189

[PROPOSED] ORDER
GRANTING PLAINTIFF'S
MOTION FOR TEMPORARY
RESTRAINING ORDER AND
PRELIMINARY INJUNCTION

This matter having come before the Court on Plaintiff Confederated Tribes and Bands of the Yakama Nation’s (“Yakama Nation”) Motion for Temporary Restraining Order And Preliminary Injunction, and the Court having considered the memorandum of points and authorities in support, and all other relevant pleadings and records on file with the Court,

IT IS HEREBY ORDERED that Plaintiff Confederated Tribes and Bands of the Yakama Nation's Motion for Temporary Restraining Order is GRANTED.

[PROPOSED] ORDER GRANTING PLAINTIFF'S
MOTION FOR TEMPORARY RESTRAINING ORDER
AND PRELIMINARY INJUNCTION — 1

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1 IT IS FURTHER ORDERED that the restraint of this Temporary Restraining
2 Order shall remain in full force and effect for fourteen (14) days.

3 IT IS FURTHER ORDERED that a hearing on Plaintiff's Motion for
4 Preliminary Injunction shall be set at a time and date before expiration of the
5 Temporary Restraining Order.

6 **TEMPORARY RESTRAINING ORDER**
7

8 The Court finds that a temporary restraining order is necessary to prevent
9 immediate and irreparable injury to the Yakama Nation and its Members, as
10 demonstrated by specific facts alleged within the Yakama Nation's Complaint,
11 Yakama Nation's Motion for Temporary Restraining Order and Preliminary
12 Injunction, and the Yakama Nation's supporting affidavits. Pursuant to Fed. R.
13 Civ. P. 65(c), the Court finds that no security is necessary.

14 ACCORDINGLY, IT IS HEREBY ORDERED that Defendant is temporarily
15 restrained from preventing the Yakima Valley Farmworkers Clinic from hosting a
16 24-hour emergency cold weather shelter on nonmember-owned fee lands within
17 the City of Toppenish and the Yakama Reservation consistent with the Yakama
18 Nation Tribal Council's authorization in Resolution T-010-25.

19 This Temporary Restraining Order prohibits Defendant from taking any
20 action that prevents, or is intended to prevent, Yakima Valley Farmworkers Clinic
21 from hosting a 24-hour emergency cold weather shelter on nonmember-owned fee
22 lands within the City of Toppenish and the Yakama Reservation for the duration of
23 this Order's effect.

1 This Order shall expire fourteen (14) days from this day.
2 DONE IN OPEN COURT this _____ day of November, 2024.

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5 Hon. Mary K. Dimke
6 United States District Court Judge
7

8 PRESENTED BY:
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10 YAKAMA NATION OFFICE OF
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LEGAL COUNSEL

s/Ethan Jones
Ethan Jones, WSBA No. 46911
Anthony Aronica, WSBA No. 54725

*Attorneys for the Confederated Tribes and
Bands of the Yakama Nation*

[PROPOSED] ORDER GRANTING PLAINTIFF'S
MOTION FOR TEMPORARY RESTRAINING ORDER
AND PRELIMINARY INJUNCTION — 3

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